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**PATENT**

Atty. Docket No. 34743-00001

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I hereby certify that on August 27, 2007, this correspondence and any attachments are being deposited with the United States Postal Service as First Class Mail, postage pre-paid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Jennifer D. Gaines*  
Jennifer Gaines

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Ram Benz

Serial No.: 09/775,389

Filed: February 1, 2001

For: Portable Audio Mixer

Group Art Unit: 2614

Examiner: Woo, Stella

**RENEWED PETITION TO WITHDRAW AS ATTORNEY OF RECORD**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

On March 21, 2007, a decision was mailed on the Request to Withdraw as Attorney filed on January 16, 2007. In response, the Attorneys of Record for Applicant renew the petition to withdraw as attorneys of record for the following reasons.

### REMARKS

Under 37 C.F.R. 10.40(c)(6), the attorney for an Applicant may request withdrawal as attorney of record if “the practitioner believes in good faith, in a proceeding pending before the Office, that the Office will find the existence of other good cause for withdrawal.” In the present case, irreconcilable differences have lead to the severing of the attorney-client relationship. There have been long-standing differences in between the Applicant and counsel concerning the handling of the patent application. In particular, the Applicant was dissatisfied with the amount of time it has taken for the application to be processed.

The Applicant was notified December 28, 2006, by counsel of plans to withdraw prior to filing the Request to Withdraw. On January 8, 2007, Applicant was again contacted by counsel regarding their intention to withdraw as patent counsel. In fact, on or about January 24, 2007, Applicant acknowledged and agreed that the attorneys of record ceased to be his patent counsel or to represent him in any other matters, and that they had previously ceased to be his counsel for any purpose or other matters. In addition, all unused fees were returned to client, along with his complete patent application file as maintained by the attorneys of record.

The Decision further cites that such request “will not be approved unless at least 30 days would remain between the date of approval and the later of the expiration date of time to file a response or the expiration date of the maximum period which can be extended under 37 C.F.R. § 1.136(a).” A Corrected Amendment/Response to Office Action has been filed. Thus, there are no outstanding responses due.

This Renewed Petition to Withdraw as Attorney of Record is being filed on behalf of attorneys of record, Steven E. Shapiro (Reg. No. 35,676), Joseph G. Swan (reg. No. 41,338) and Brent Rabowsky (Reg. No. 41,262).



### CONCLUSION

In view of the foregoing remarks, attorneys of record respectfully request that the PETITION TO WITHDRAW be granted.

If there are any fees due in connection with the filing of this paper that have not been accounted for in this paper or the accompanying papers, please charge the fees to our Deposit Account No. 13-3735. If an extension of time under 37 C.F.R. 1.136 is required for the filing of this paper and is not accounted for in this paper or the accompanying papers, such an extension is requested and the fee (or any underpayment thereof) should also be charged to our Deposit Account. A duplicate copy of this page is enclosed for that purpose.

Dated: August 27, 2007

Respectfully submitted,

By           /Joseph G. Swan/            
Joseph G. Swan  
Registration No. 41,338